

# HOUSE BILL 84

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(PRE-FILED)

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By: **Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

Requested: October 8, 2009

Introduced and read first time: January 13, 2010

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration**  
3 **Contractors – Membership**

4 FOR the purpose of increasing the number of members of the State Board of Heating,  
5 Ventilation, Air-Conditioning, and Refrigeration Contractors; and generally  
6 relating to the State Board of Heating, Ventilation, Air-Conditioning, and  
7 Refrigeration Contractors.

8 BY repealing and reenacting, with amendments,  
9 Article – Business Regulation  
10 Section 9A-202  
11 Annotated Code of Maryland  
12 (2004 Replacement Volume and 2009 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Business Regulation**

16 9A-202.

17 (a) (1) The Board consists of [7] 9 members.

18 (2) Of the [7] 9 Board members:

19 (i) [3] 5 shall be master heating, ventilation, air-conditioning,  
20 and refrigeration contractors licensed in the State, a subdivision of the State, or  
21 another state provided that state has licensing requirements equivalent to the  
22 licensing requirements of this title;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) 1 shall be a master electrician;

2 (iii) 1 shall be a master plumber; and

3 (iv) 2 shall be consumer members.

4 (3) The Governor shall appoint the members of the Board with the  
5 advice of the Secretary and with the advice and consent of the Senate.

6 (b) Except for the initial members of the Board, of the members appointed  
7 under subsection (a)(2)(i), (ii), and (iii) of this section:

8 (1) 1 shall be from the area that consists of Caroline, Dorchester,  
9 Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester counties;

10 (2) 1 shall be from the area that consists of Baltimore City, and  
11 Baltimore, Cecil, and Harford counties;

12 (3) 1 shall be from the area that consists of Anne Arundel, Calvert,  
13 Charles, and St. Mary's counties;

14 (4) 1 shall be from the area that consists of Howard, Montgomery, and  
15 Prince George's counties; and

16 (5) 1 shall be from the area that consists of Allegany, Carroll,  
17 Frederick, Garrett, and Washington counties.

18 (c) [(1) Two members of the Board may not be residents of the same city,  
19 county, or other political subdivision.

20 (2)] Each member of the Board shall be:

21 [(i)] (1) a citizen of the United States; and

22 [(ii)] (2) a resident of the State.

23 (d) (1) Each member appointed under subsection (a)(2)(i), (ii), and (iii) of  
24 this section:

25 (i) shall be an active contractor;

26 (ii) shall hold a current active license under this title or under a  
27 licensing program in a subdivision of the State; and

28 (iii) shall have provided services as a contractor for not less than  
29 5 consecutive years immediately prior to the date of appointment.

1           (2)    The master electrician member of the Board:

2                   (i)    shall be actively engaged in the electrical contracting  
3 business as a master electrician;

4                   (ii)   shall hold a current active license under this article; and

5                   (iii) shall have been engaged in business as a master electrician  
6 for not less than 5 consecutive years immediately prior to the date of appointment.

7           (3)    The master plumber member of the Board:

8                   (i)    shall be actively engaged in the plumbing contracting  
9 business as a master plumber;

10                  (ii)   shall hold a current active license under this article; and

11                  (iii) shall have been engaged in business as a master plumber for  
12 not less than 5 consecutive years immediately prior to the date of appointment.

13       (e)    Each consumer member of the Board:

14                  (1)    shall be a member of the general public;

15                  (2)    may not be a licensee or otherwise be subject to the regulation of  
16 the Board; and

17                  (3)    may not have had within 1 year before appointment a financial  
18 interest in or have received compensation from a person regulated by the Board.

19       (f)    Before taking office, each appointee to the Board shall take the oath  
20 required by Article I, § 9 of the Maryland Constitution.

21       (g)    (1)    The term of a member is 3 years.

22                  (2)    The terms of members are staggered as required by the terms  
23 provided for members of the Board on January 1, 1993.

24                  (3)    At the end of a term, a member continues to serve until a successor  
25 is appointed and qualifies.

26                  (4)    A member who is appointed after a term has begun serves only for  
27 the rest of the term and until a successor is appointed and qualifies.

28                  (5)    Board members are eligible for reappointment, but may not serve  
29 more than 2 consecutive terms.

1                   (6)    The Governor may remove a member for incompetence or  
2 misconduct.

3                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 July 1, 2010.